

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 04-34 Erie
)
JUDITH A. TOME)

MOTION TO DISMISS INDICTMENT

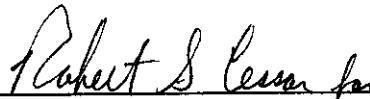
AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said District, and, pursuant to Rule 48 of the Federal Rules of Criminal Procedure, respectfully moves the Court to issue an Order dismissing the Indictment in the above-captioned case. In further support of this Motion, the United States avers as follows:

1. On July 13, 2004, an Indictment was filed in the above case in which the defendant, Judith A. Tome, was charged with violating Title 18, United States Code, Section 1920.

2. On November 17, 2004, defendant Judith A. Tome agreed to participate in a Pretrial Diversion Program for a period of twelve (12) months, upon the successful completion of which the Indictment would be dismissed.

3. The United States has been informed in writing by the Pretrial Services Office that defendant Judith A. Tome has successfully completed the period of pretrial diversion.

WHEREFORE, the United States of America respectfully requests that the Court issue an Order dismissing the Indictment in this case.

A handwritten signature in black ink, appearing to read "Robert S. Person for", written over a horizontal line.

MARY BETH BUCHANAN
United States Attorney
PA ID No. 50254

A handwritten signature in black ink, appearing to read "Christian A. Trabold", written over a horizontal line.

CHRISTIAN A. TRABOLD
Assistant U.S. Attorney
PA ID No. 75013